

REMARKS

Status Summary

Claims 1, 2, and 4-6 are pending in the present application, each of which presently stands rejected. Claim 1 is amended by the present amendment. No new matter has been introduced by the present amendment. Reconsideration of the application as amended and based on the remarks set forth hereinbelow is respectfully requested.

Claim Rejection - 35 U.S.C. § 112

Claims 1, 2, and 4-6 stand rejected by the Examiner under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner contends that the terms "externally," "external," and "internal" are ambiguous. Claim 1 has been amended as indicated above to remove these terms from the claim. Accordingly, it is respectfully submitted that claim 1 now distinctly recites the subject matter regarded as the invention, and thus it is respectfully requested that the rejection of claims 1, 2, and 4-6 under 35 U.S.C. § 112, second paragraph, be withdrawn at this time.

Claim Rejection - 35 U.S.C. § 103

Claims 1, 2, 4, and 5 stands rejected by the Examiner under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Pub. No. 2003/0128751 to Vandenameele-Lepla, hereinafter referred to as "Lepla", in view of U.S. Patent No.

6,674,820 to Hui et al., hereinafter referred to as "Hui", U.S. Patent No. 5,175,558 to DuPree, hereinafter referred to as "DuPree", and the admitted prior art. In addition, claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Lepa in view of Hui, Dupree, and the admitted prior art, and further in view of U.S. Patent No. 6,122,703 to Nasserbakht, hereinafter referred to as "Nasserbakht". The positions of the Examiner as summarized above with respect to claims 1, 2, and 4-6 are respectfully traversed as described below.

Regarding the feature recited in claim 1 of a selector selecting one of the plurality of weighting coefficient sets stored in the memory on the basis of an expected spurious signal energy in the received signal that is set externally, the Examiner contends that Hui discloses this feature in that each of the candidate auto-correlation values (considered by the Examiner to be equivalent to expected spurious signal energy) is associated with different whitening filters (considered to be equivalent to weighting coefficients) stored in memory. It is respectfully submitted, however, that this is not the case.

Hui discloses a receiver device **404** with a weighting circuit **405** for channel coefficients $c(k)$ of a received signal $r(n)$ over a communications channel subject to colored noise. (See, e.g., Hui, Fig. 4) The weighting circuit **405** is coupled to a selector **415** that is able to select a whitening filter $h(n)$ for the channel coefficients $c(k)$ stored in an auto correlation memory on the basis of one of a set of candidate auto-correlations. Thus, in contrast to the features of present claim 1, the candidate

auto-correlations are *stored in the auto correlation memory* rather than being externally set, as recited in claim 1.

To more particularly emphasize this source of the expected spurious signal energy, claim 1 has been further amended as indicated above to replace the feature of the expected spurious signal energy being "set externally" with the feature of the expected spurious signal energy being "applied via a setting input." Support for this amendment can be found in the specification as originally filed, for example on page 7, lines 20 to 21. In this way, it is emphasized that the expected spurious signal energy is input rather than being predetermined and stored within the system.

Since the only connection of the auto correlation memory of Hui is internal to the receiver device, it is respectfully submitted that one having ordinary skill in the art would not understand Hui as teaching that the selector should select one of the weighting coefficient sets stored in the memory on the basis of *an externally set* expected spurious signal energy in the received signal, in particular an expected spurious signal energy that is applied via a setting input.

As a result, for at least the reasons stated above, it is respectfully submitted that Lepla, taken either alone or in combination with one or more of Hui, Nasserbakht, DuPree, or the admitted prior art, fails to teach or suggest every element of the weighting circuit of independent claim 1. Accordingly, it is respectfully requested that the rejection of claim 1 under 35 U.S.C. § 103(a) be withdrawn and the claim allowed at this time. In addition, claims 2 and 4-6 depend upon claim 1. Accordingly, it is respectfully submitted that the above remarks apply equally to these

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claims, and therefore the rejections of claims 2 and 4-6 should likewise be withdrawn and the claims allowed at this time.

CONCLUSION

In light of the above amendments and remarks, it is respectfully submitted that the present application is now in proper condition for allowance, and an early notice to such effect is earnestly solicited.

If any small matter should remain outstanding after the Patent Examiner has had an opportunity to review the above Remarks, the Patent Examiner is respectfully requested to telephone the undersigned patent attorney in order to resolve these matters and avoid the issuance of another Official Action.

DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. 50-0426.

Respectfully submitted,

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